

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

JUN 15 2022

UNITED STATES OF AMERICA

§

§

v.

§

4:22cr151

§

Judge

AMBER MICHELLE BROWN

§

Mazzant

BY
DEPUTY

INDICTMENT

SEALED

THE UNITED STATES GRAND JURY CHARGES:

Count One

Violation: 18 U.S.C. § 1341
(Mail Fraud)

Introduction

At all times material to this indictment:

1. The Texas Workforce Commission (TWC) was a governmental agency in the State of Texas that provides unemployment benefits and services to eligible individuals.

2. Amber Michelle Brown, defendant (Brown), and her then-husband filed for Chapter 7 bankruptcy on October 30, 2008.

3. Brown's bankruptcy filings did not list any debts owed to TWC.

4. Brown received her Chapter 7 bankruptcy discharge on February 6, 2009.

5. In 2014 and 2015, Brown received overpayments of unemployment benefits from the TWC totaling \$11,804.00. The overpayments resulted in Brown incurring a debt to the TWC in the amount of the overpayments (TWC debt).

The Scheme and Artifice to Defraud

6. Beginning on or about a date unknown, but as late as July 27, 2021, in the Eastern District of Texas, and elsewhere, Amber Michelle Brown, the defendant, with the intent to defraud, did knowingly devise and intend to devise a scheme to defraud the TWC, and to obtain money and property from TWC, by means of materially false and fraudulent pretenses, representations, and promises, by mailing and causing something to be sent and delivered through the United States Postal Service for the purpose of executing and attempting to execute a scheme and artifice to defraud.

Manner and Means of the Scheme and Artifice

It was part of the manner and means of the scheme and artifice that:

7. Brown represented to the TWC that her TWC debt had been discharged through her Chapter 7 bankruptcy, when, in fact, Brown knew that her TWC debt had not been discharged through her Chapter 7 bankruptcy.

Execution of the Scheme and Artifice

8. On or about July 27, 2021, in the Eastern District of Texas, for the purpose of executing and attempting to execute the above-described scheme and artifice to defraud and deprive, Brown knowingly mailed and caused to be placed in an authorized depository for mail, to be sent and delivered by the United States Postal Service, the following matter: falsified documents purporting to represent that Brown's TWC debt had been discharged through her Chapter 7 bankruptcy.

In violation of Title 18, United States Code, Section 1341.

NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE

Pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c)

As a result of committing the offense charged in this indictment, the defendant shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), all proceeds from the offense and property derived from proceeds obtained directly or indirectly from the offense.

All such proceeds and/or instrumentalities are subject to forfeiture by the government.

A TRUE BILL:



GRAND JURY FOREPERSON

BRIT FEATHERSTON
UNITED STATES ATTORNEY



SEAN J. TAYLOR
Assistant United States Attorney

6/15/2022
Date

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NOTICE OF PENALTY

Count One

Violation: 18 U.S.C. § 1341
(Mail Fraud)

Penalty: A fine of \$250,000, or twice the pecuniary gain to the defendant or loss of the victim(s), whichever is greater; imprisonment for not more than 20 years; and a term of supervised release of not more than 3 years.

Special
Assessment: \$100